

MINNESOTA BOARD OF PHARMACY
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**CHECKLIST OF LEGAL REQUIREMENTS TO BE FOLLOWED FOR PHARMACY
SALES; CHANGES OF OWNERSHIP, NAME, ADDRESS; OR MOVING**

1. **Moving a pharmacy** – A completed application for amendment of the pharmacy license shall be made on a standard form available from the Board office or on line at www.pharmacy.mn.gov. If your pharmacy is moving you must submit the application at least 60 days PRIOR TO moving (blueprints or sketch must accompany the completed application; showing size, layout, and security; including elevations of the consultation area to meet rule 6800.0700, subpart 1,E). An additional fee is not required.
2. **Changing name or address** – A completed application showing changes must be returned to the office; an additional fee is not required. In this case, “change of address” refers to those situations in which a pharmacy has been given a new address, but is still at the same physical location and has not been remodeled. An additional fee is not required
3. **Ownership changes** – A completed application showing the new ownership must be filed with the Board office with a \$225.00 fee. When the effective date of the ownership change coincides with the 7/1 annual renewal period, an additional fee is not required. If the change of ownership is effective, or the change of ownership application is received in the Board of Pharmacy Office, between April 15 and July 1, an additional fee is required to cover the ownership change and the June 30 renewal. The total then becomes \$450.00.

If the former pharmacy received authority to accept returns for reuse of unit dose packaged medications from long term care facilities or other entities, new written procedures for handling of these returns must be submitted to the Board for approval.

Following are some examples of ownership changes that require a new license: sale to another individual; incorporation (from sole owner to corporation, from partnership to corporation) corporation papers should accompany application or be sent later; major stock change (if 20% or more of the stock changes hands); sole owner to partnership; change from limited liability corporation to corporation; the addition of one or more partners to a partnership; and one partner buying out the other partner. (See 6800.0500 adopted 12/20/77.) For in-state pharmacies, once you have completed all of Minnesota’s requirements please contact the Minneapolis DEA office at either www.deadiversion.usdoj.gov or (612) 344-4136 for their requirements.

4. An inventory of drugs covered under the State and Federal Controlled Substances Acts should be taken when there is a change in pharmacist responsible for the management of the pharmacy. This is not necessary if a firm or individual merely changes its type of ownership, such as partnership to corporation, individual to partnership, etc., although this is considered to be a change in ownership. The Drug Enforcement Administration must be notified so that a new registration and new federal order forms with the correct new firm name can be issued. The DEA also requires notification in cases of change in business name, location or ownership.
5. Minnesota pharmacists changing their place of practice, residence address or ownership status must immediately change this information on their personal record on our web site or notify the Board of these changes.
6. Each pharmacy shall notify the Board of Pharmacy immediately upon knowledge of the termination of the services of the pharmacist-in-charge and further, shall immediately designate a successor pharmacist-in-charge and immediately notify the Board of Pharmacy of such designation. For in-state pharmacies, the Board of Pharmacy upon receiving such notice will furnish the successor pharmacist-in-charge such form or forms as it may from time to time prescribe or downloaded from the Board's web site. The form or these forms must be completed by the successor pharmacist-in-charge and filed with the Board of Pharmacy within ten days after receipt thereof.
7. For in-state pharmacies, if there is a change of pharmacist-in-charge due to the ownership change and the pharmacy has variances on file with the Board of Pharmacy, the new pharmacist-in-charge will need to submit the existing variance form for a successor pharmacist-in-charge.
8. For the protection of both the buyer and the seller it is advisable to notify all third party payers of the ownership change.
9. Effective with the selling date, the pharmacist-in-charge must return the old pharmacy license to the Board office noting the selling date and new owner's name.
10. For in-state pharmacies, the firm which is selling should contact the Minneapolis DEA office at (612) 344-4136 or at www.deadiversion.usdoj.gov to obtain DEA's requirements.

Link to our rules: <https://www.revisor.mn.gov/rules/?id=6800>

Link to laws 151: <https://www.revisor.mn.gov/statutes/?id=151>

Link to laws 152: <https://www.revisor.mn.gov/statutes/?id=152>